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EXAMINER BORISSOV, IGOR N				
ART UNIT 3628		PAPER NUMBER		
NOTIFICATION DATE 09/03/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

### Office Action Summary

**Application No.**

10/027,664

**Applicant(s)**

SOLOMON ET AL.

**Examiner**

IGOR BORISSOV

**Art Unit**

3628

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 36-51, 53, 57 and 59-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-51, 53, 57 and 59-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Amendment received on 06/21/2010 is acknowledged and entered. Claims 54, 56 have been canceled. Claims 36-51, 53, 57, 59 and 60-65 are currently pending in the application.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 36-51, 53, 57, 59 and 60-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien (Computers In Business Management) in view of Gharavy (US 2003/0004840) and further in view of Lederer, Jr. et al. (US 2002/0023109).**

Claims 36 and 57.

O'Brien (Computers In Business Management), which appears to be published in 1979, teaches:

A method comprising:

receiving, electronically, at a computer system, a first transaction record from an organization, the first transaction record being received according to a first protocol, and the first transaction record having a first format and including first transaction data stored in the first format and describing a completed first transaction between the organization and a customer (billing a customer; p. 297; Fig. 10-10) accessing, by the computer system and based on information in the first transaction record, a first business rule configured by the organization and describing a second transaction expected to be completed between the organization and the

customer in response to the completed first transaction, the first business rule including an acceptable time period in which the second transaction is expected to be completed (expected payment due; p. 298; Fig. 10-10)

receiving, by the computer system, a second transaction record from the organization including second transaction data describing completion of the second transaction and including a time attribute related to a time of completion of the second transaction (receiving a payment);

processing, by the computer system, the second transaction record using the first business rule, the processing including: based on the time attribute included in the second transaction record received from the organization, determining a time period between completion of the first transaction between the organization and the customer and completion of the second transaction between the organization and the customer (checking if said payment is overdue; p. 298; Fig. 10-10);

comparing the determined time period with the acceptable time period included in the first business rule (checking if said payment is overdue; p. 298; Fig. 10-10);

based on comparison results, determining, by the computer system, whether the second transaction between the organization and the customer was completed within the acceptable time period (checking if said payment is overdue; p. 298; Fig. 10-10);

processing the second transaction record based on whether the second transaction between the organization and the customer was completed within the acceptable time period (if the payment is late then producing delinquency notices; p. 298);

tracking, by the computer system, information related to business transactions between the organization and the customer to identify a schedule of recurring transactions that occur in a lifecycle of business between the organization and the customer ("processing, by the computer system, the second transaction record using the first business rule, the processing including: based on the time attribute included in the second transaction record received from the organization, determining a time period between completion of the first transaction between the organization and the customer and completion of the second transaction between the organization and the customer"

(checking if said payment is overdue; p. 298; Fig. 10-10); and "processing the second transaction record based on whether the second transaction between the organization and the customer was completed within the acceptable time period" (if the payment is late then producing delinquency notices; p. 298));

storing, by the computer system, at least some portions of the first transaction record and the second transaction record; and

displaying the results of the processing and storing, by the computer system, to at least one of the organization and the customer (Figs. 10-11, 10-12).

Furthermore, so as O'Brien discloses tracking information related to business transactions between the organization and the customer to identify a schedule of recurring transactions that occur in a lifecycle of business between the organization and the customer, and conducting necessary steps in accordance with said schedule (see previous steps), it would be obvious to one having ordinary skill in the art at the time the invention was made to modify O'Brien to include: determining, by the computer system and in response to processing the second transaction record, a next expected transaction between the organization and the customer and a second time period for completion of the next expected transaction based on the tracked schedule of recurring transactions that occur in the lifecycle of business between the organization and the customer, as suggested in O'Brien, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

O'Brien does not explicitly teach that said formatting data includes converting, by the computer system, the first transaction data from the first format into another format.

Also, O'Brien does not specifically teach that said business rule is applicable to the customer located in jurisdiction different than that of the organization, and that the business rule includes an acceptable time period in which the second transaction is expected to be completed.

Gharavy teaches a method and system for performing collective validation of credential information, comprising: during said validation of transmitted data, converting data format in the format usable by the rule engine, for example *standard format* [0025]; [0105], thereby indicating "proper structure" feature. Furthermore, Gharavy teaches that said system is configured to require a regulatory jurisdiction when defining credential types [0030]. Specifically, certain requirements associated with a particular jurisdiction (residency) must be addressed [0033]; [0041]. Gharavy also teaches that said rules encompass specific time periods during which the responsive action should be performed [0036]; [0040]; [0044].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify O'Brien to include converting, by the computer system, the first transaction data from the first format into another format, as disclosed in Gharavy, because it would advantageously simplify the processing of said data, as well as allow to accommodate clients executed on various platforms. As per addressing jurisdiction issues, the motivation would be to provide services in compliance with current local and Federal regulations. Furthermore, so as this is a case where the improvements are no more than the predictable use of prior art elements according to their established functions, no further analysis for "motivation to combine" is required by the Examiner. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

While the combination of O'Brien and Gharavy teaches that certain requirements associated with a particular jurisdiction (residency) must be addressed, and that said rules encompass specific time periods during which the responsive action should be performed, the combination does not explicitly teach that said responsive actions include expected transactions based on jurisdictional rules.

Lederer, Jr. et al. (hereinafter referred to as Lederer) discloses a method for maintaining, retrieving, and evaluating information related to a potential business transaction between parties in different jurisdictions using electronic versions of rules from such jurisdictions that apply to the transaction comprising [0013], [0040]-[0043], [0070], [0100] and [0104].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of O'Brien and Gharavy to include that said responsive actions include expected transactions based on jurisdictional rules, as disclosed in Lederer, because it would advantageously provide for ensuring compliance with regulations, as specifically stated in Lederer [0010]. Furthermore, so as this is a case where the improvements are no more than the predictable use of prior art elements according to their established functions, no further analysis for "motivation to combine" is required by the Examiner. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

Claims 37-38.

O'Brien teaches the method of claim 36 further comprising:

determining in an automated manner whether the first business rule is satisfied by the second transaction data (checking if the payment is late p. 298);

accessing, when the first business rule is satisfied, a second business rule configured by the organization and describing a third transaction expected to be completed between the organization and the customer in response to the completed second transaction (if the payment is late then producing delinquency notices; p. 298);

receiving a third transaction record from the organization including third transaction data describing completion of the third transaction (producing delinquency notices; p. 298). As per "format" feature per se, same reasoning as applied to claim 36.

Claims 39-40.

O'Brien teaches the method of claim 36 further comprising:

determining whether the first business rule is satisfied by the second transaction data; and

informing the organization of whether the first business rule is satisfied. As per "format" feature per se, same reasoning as applied to claim 36.

Claim 41.

O'Brien teaches the method of claim 36 further comprising:

receiving a third transaction record from the organization, the third transaction record being received according to the first protocol, and the third transaction record having the first format and including third transaction data stored in the first format and describing a completed third transaction between the organization and the customer (late payment; p. 298);

determining that the third transaction is an unexpected transaction (late payment), an unexpected transaction being a transaction that is expected to succeed a given transaction that has not been completed; and

informing the organization that the third transaction is an unexpected transaction (producing delinquency notices; p. 298). As per "format" feature per se, same reasoning as applied to claim 36.

Claims 42-46. Same reasoning applied to Claim 36. Furthermore, teachings of O'Brien, Gharavy and Lederer would allow the repetition of the recited steps (See reasoning applied to claim 36).

Claim 53.

O'Brien teaches: processing the second transaction record; sending a message to the organization indicating that the second transaction between the organization and the customer was not completed within the acceptable time period; and storing a record indicating that the second transaction between the organization and the customer was not completed within the acceptable time period (producing delinquency notices; p. 298).

Claim 59.

O'Brien teaches:

maintaining, by a transaction computer system, a database of configurable business rules that control transactions between an organization and clients of the organization, the configurable business rules being based on preferences of at least one of the organization and the clients and based on rules governing transactions



between the organization and the clients, wherein the configurable business rules include:

- a first business rule that controls transactions between the organization and a first client, the first business rule being configured based on preferences of at least one of the organization and the first client and at least one rule governing transactions between the organization and the first client, and

- a second business rule that controls transactions between the organization and a second client, the second business rule being configured based on preferences of at least one of the organization and the second client and at least one rule governing transactions between the organization and the second client;

- tracking, by the transaction computer system, information related to business transactions between the organization and the clients, to identify a schedule of recurring transactions that occur in a lifecycle of business between the organization and each client ("based on the accessed business rule, identifying, by the transaction computer system, a time period in which the response business transaction to the request business transaction is due from the client, wherein the time period is based on a preference of the organization in receiving responses to request business transactions and at least one rule governing transactions between the organization and the client, and the time period is different based on whether the accessed business rule is the first business rule or the second business rule" (checking requirements for timely payment), and "sending, from the transaction computer system to a second computer system associated with the client, a message identifying the request business transaction and the time period in which the response business transaction to the request business transaction is due from the client" (sending a billing statement));

- receiving, at the transaction computer system from a first computer system associated with the organization, a message identifying a business transaction between the organization and a client, the business transaction including a request business transaction and a response business transaction that is performed by the client in response to the request business transaction as part of the business transaction;

based on the message identifying the business transaction, determining, by the transaction computer system, whether the client associated with the business transaction is the first client or the second client (checking identity of a customer, a customer account number);

conditioned on a determination that the client is the first client, accessing, by the transaction computer system, the first business rule that controls business transactions between the organization and the first client (checking the status of the identified account);

conditioned on a determination that the client is the second client, accessing, by the transaction computer system, the second business rule that controls business transactions between the organization and the second client (checking requirements for timely payment);

based on the accessed business rule, identifying, by the transaction computer system, a time period in which the response business transaction to the request business transaction is due from the client, wherein the time period is based on a preference of the organization in receiving responses to request business transactions and at least one rule governing transactions between the organization and the client, and the time period is different based on whether the accessed business rule is the first business rule or the second business rule (checking requirements for timely payment);

sending, from the transaction computer system to a second computer system associated with the client, a message identifying the request business transaction and the time period in which the response business transaction to the request business transaction is due from the client (sending a billing statement);

monitoring, by the transaction computer system, messages received from the second computer system associated with the client for a message related to the response business transaction;

based on the monitoring, determining, by the transaction computer system, whether a message related to the response business transaction has been received from the second computer system associated with the client within the time period (checking if said payment is overdue; p. 298; Fig. 10-10);

conditioned on a determination that a message related to the response business transaction has been received from the second computer system associated with the client within the time period:

processing, by the transaction computer system, the business transaction between the organization and the client based on the message related to the response business transaction (processing the payment);

conditioned on a determination that a message related to the response business transaction has not been received from the second computer system associated with the client within the time period:

sending, from the business transaction management system to the second computer system associated with the client, a reminder message indicating that the response business transaction has not been received (if the payment is late then producing delinquency notices; p. 298); and

sending, from the business transaction management system to the first computer system associated with the organization, an error message indicating that the response business transaction has not been performed by the client (creating accounts receivable aged trial balance; Fig. 10-12).

Furthermore, so as O'Brien discloses tracking, by the transaction computer system, information related to business transactions between the organization and the clients, to identify a schedule of recurring transactions that occur in a lifecycle of business between the organization and each client (see previous steps), it would be obvious to one having ordinary skill in the art at the time the invention was made to modify O'Brien to include: determining, by the transaction computer system, a next expected transaction between the organization and the client and a second time period for completion of the next expected transaction based on the tracked schedule of recurring transactions that occur in the lifecycle of business between the organization and the client, as suggested in O'Brien, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art

would have recognized that the results of the combination were predictable. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

O'Brien does not explicitly teach that said formatting data includes converting, by the computer system, the first transaction data from the first format into another format.

Also, O'Brien does not specifically teach that said business rule is applicable to the customer located in jurisdiction different than that of the organization, and the second jurisdiction is different than the first jurisdiction, and the at least one rule of the second jurisdiction is different than the at least one rule of the first jurisdiction.

Gharavy teaches a method and system for performing collective validation of credential information, wherein said system is configured to require a regulatory jurisdiction when defining credential types [0030]. Specifically, certain requirements associated with a particular jurisdiction (residency) must be addressed [0033]; [0041]. Gharavy also teaches that said rules encompass specific time periods during which the responsive action should be performed [0036]; [0040]; [0044].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify O'Brien to include converting, by the computer system, the first transaction data from the first format into another format, as disclosed in Gharavy, because it would advantageously simplify the processing of said data, as well as allow to accommodate clients executed on various platforms. As per addressing jurisdiction issues, the motivation would be to provide services in compliance with current local and Federal regulations. Furthermore, so as this is a case where the improvements are no more than the predictable use of prior art elements according to their established functions, no further analysis for "motivation to combine" is required by the Examiner. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

While the combination of O'Brien and Gharavy teaches that certain requirements associated with a particular jurisdiction (residency) must be addressed, and that said rules encompass specific time periods during which the responsive action should be performed, the combination does not explicitly teach that said responsive actions include expected transactions based on jurisdictional rules.

Lederer discloses a method for maintaining, retrieving, and evaluating information related to a potential business transaction between parties in different jurisdictions using electronic versions of rules from such jurisdictions that apply to the transaction comprising [0013], [0040]-[0043], [0070], [0100]and [0104].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of O'Brien and Gharavy to include that said responsive actions include expected transactions based on jurisdictional rules, as disclosed in Lederer, because it would advantageously provide for ensuring compliance with regulations, as specifically stated in Lederer [0010]. Furthermore, so as this is a case where the improvements are no more than the predictable use of prior art elements according to their established functions, no further analysis for "motivation to combine" is required by the Examiner. *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

Claims 60-65. Same reasoning as applied to claims 36 and 59.

**Claims 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brien in view of Gharavy further in view of Lederer and further in view of Al Senia (The Internet Forefront).**

Claim 47. The combination of O'Brien, Gharavy and Lederer teaches all limitations of claim 47, except explicitly teaching providing the organization electronic access to transaction records for the series of successive transactions.

Al Senia (The Internet Forefront) which appears to be published on October, 2000, teaches how utility company switching to e-commerce and interacting with customers over the Internet, thereby suggesting said feature.

It would have been prima face obvious to one having ordinary skill in the art at the time the invention was made to modify the combination to include providing the organization electronic access to transaction records for the series of successive transactions, as suggested in Al Senia, because it would advantageously allow to reduce cost, as specifically stated in Al Senia. Furthermore, in this case, each of the

elements of the cited references combined by the Examiner performs the same function when combined as it does in the prior art. Thus, such a combination would have yielded predictable results. See *Sakraida*, 425 U.S. at 282, 189 USPQ at 453. Therefore, Supreme Court Decision in *KSR International Co. v. Teleflex Inc.* (KSR, 82 USPQ2d at 1396) forecloses the argument that a specific teaching, suggestion, or motivation is required to support a finding of obviousness. See the recent Board decision *Ex arte Smith*, --USPQ2d--, slip op. at 20, (Bd. Pat. App. & Interf. June 25, 2007).

Claims 48-51. Same reasoning as applied to claim 47.

### ***Response to Arguments***

Applicant's arguments filed 06/21/2010 have been fully considered but they are not persuasive.

Applicant argues: "Although the O'Brien bill payment system monitors for payments, the O'Brien bill payment system does not track information related to business transactions between an organization and a customer to identify a schedule of recurring transactions that occur in a lifecycle of business between the organization and the customer and determine a next expected transaction between the organization and the customer and a second time period for completion of the next expected transaction based on the tracked schedule of recurring transactions and jurisdictional rules that define required time periods for completion of transactions that differ between jurisdictions. Rather, the O'Brien bill payment system merely sends a reminder when a payment becomes overdue based on a time frame set within a bill. To this end, the O'Brien bill payment system uses preset payment timing data to monitor a specific transaction, which does not involve identification of a schedule of recurring transactions or determination of a next expected transaction and a second time period for completion of the next expected transaction based on the schedule of recurring transactions.

In addition, the Office Action fails to reference any portion of O'Brien (or any other cited reference) in discussing the feature of determining, by the computer system, a next expected transaction between the organization and the customer and a second time period for completion of the next expected transaction based on the tracked schedule of recurring transactions that occur in the lifecycle of business between the organization and the customer."

In response to this argument, Examiner points out, that as per "...the O'Brien bill payment system merely sends a reminder when a payment becomes overdue based on a time frame set within a bill...", it is noted that in order to send a reminder when a payment becomes overdue, it has to be determined that said payment becomes overdue. In order to determine that said payment becomes overdue, the system has to monitor time attribute of the expected/second transaction and, upon obtaining the time attribute, the system has to compare the obtained time attribute with a predetermined by a business rule time attribute. And this is explicitly disclosed in O'Brien's reference. O'Brien's system, upon receiving a payment, determines if said payment is overdue; p. 298; Fig. 10-10). Now, in order to conduct said determination, the system has to determine whether the transaction (the payment) was completed within the acceptable time period, which indicates "tracking" feature. As per claimed limitation: "processing the second transaction record based on whether the second transaction between the organization and the customer was completed within the acceptable time period", O'Brien's system explicitly teaches that: "if the payment is late then producing delinquency notices"; p. 298". To this end, in order for O'Brien's system to generate the delinquency notices, the system has to know/identify a time-table or schedule of recurring transactions, track the recurring transactions to obtain time attributes of said recurring transactions, compare said obtained time attributes with the identified schedule of recurring transactions, and determine whether the transaction (the payment) was completed within the acceptable time period. And if negative (the

payment is overdue), the system issues delinquency notices. Therefore, O'Brien does teach the recited limitations of claim 36.

The remaining applicant's arguments essentially repeat the arguments presented above; therefore, the responses presented by the examiner above are equally applicable to the remaining applicant's arguments.

If Applicant has questions regarding Examiner's position regarding the recited limitations, Applicant cordially invited to contact Examiner to resolve all questions.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's



supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Igor N. Borissov/

Primary Examiner, Art Unit 3628

08/27/2010